HIGH COURT OF UTTARANCHAL AT NAINITAL

(Court's order whether the case is or not approved for reporting)

(Chapter VIII Rule 32 (2)(b)

Description of the case.

W.P. No. 4071 (S/S) Year 2001

Guru Prashad Ranokoti
S/o Shri Suresh Anand Ranokoti

Versus

1. Dy Director, Animal Husbandry Garhwal M. Pauri
2. Chief of Veterinary Officer Narender Nagar Tehari Garhwal

Approved for reporting.

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~~Not approved for reporting~~

Date of decision. 8.12.2003

Initial of Judge

HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No.4071(S/S)2001
(Old No. 4167/1993)

Guru Prasad Ranokoti
Son of Sri Suresh anand
Ranokoti
Residence of Narendra Nagar,
District Tehri Garhwal ….Petitioner

VS

1 Dy. Director, Animal Husbandry
Garhwal Mandal, Pauri
2 Chief of Vertinary Officer,
Narendra Nagar, Tehri Garhwal. ….Respondents

Counsel for the petitioners Shri U.K Uniyal

Dated:- 8-12-2003

Hon'ble Rajesh Tandon, J.

Heard Shri U.K. Uniyal Learned counsel for the petitioner and Standing Counsel for the respondents.

Rule, Respondents waive service. Both the parties have agreed that the matter may be decided finally.

By the present writ petition the petitioner has prayed for the following reliefs: -

(1) ***Issue a writ, order or direction in the nature of certiorari quashing the order dt.7.1.93 passed by the respondent no.1, to the extent it orders the revertion of the petitioner w.e.f 29-1-93.***

(2) ***Issue a writ, order or direction in the nature of mandamus directing the respondents to regularize the services of the petitioner as Junior Assistant in the office of the respondent NO. 2, Chief Veterinary Officer, Narendra nagar, Tehri Garhwal.***

(3) ***Issue any other, writ, order or direction as this Hon'ble Court deems fit and proper in the circumstances of the case.***

(4) ***Allow this writ petition awarding the cost of writ petition.***

Brief facts giving rise to the present writ petition are that the petitioner was appointed as Class IV employee in the officer of the District Veterinary Officer, Tehri Garhwal in the year 1984.

The petitioner has stated that he has been directed by the respondent no.2 to work as class 3 employee . It was alleged that the petitioner has been discharging the duties of Junior Assistant in the office of respondent no.2. The petitioner has alleged that he was promoted as Junior Assistant vide order dt. 24-7-92.

The petitioner has submitted that while the petitioner was discharging his duties as Junior Assistant he was informed by the respondent No. 1 on 7-1-93 that 29-1-93 had been fixed for interview for granting promotion against two vacant posts of class III employee. By the same order the petitioner was also informed that he stands reverted to the post of Class IV employee w.e.f from 29-3-93. Thereafter the Deputy Director Animal Husbandry respondent no.1 vide radiogram dt.27-1-93 has informed that the interview which was to be held on 29-1-93 has been postponed.

The grievance of the petitioner is that the respondents have permitted the petitioner to resume his duties as Junior Assistant.

At the time of filing of writ petition Hon'ble Mr. Justice V. N. Khare was passed to the following order on 8-2-1993:-

"Issue Notice.

Meanwhile the impugned order dated 7-1-93 to the extent it reverts the petitioner from the post of Junior Assistant shall remain stayed. However, this appointment shall ease to effect as and when regular selection takes place or service of petitioner is not found suitable and on that ground he is reverted."

The writ petition is disposed of in terms of the order dated 8-2-1993. The appointment if any will not continue after the regular selection is made.

In view of the aforesaid facts and circumstances, the writ petition is disposed of. There will be no order as to costs.

08-12-2003 **(Rajesh Tandon, J.)**

Mohit